UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

MAILED

Application Number: 10/675,919
Filing Date: September 30, 2003
Appellant(s): KLEIN ET AL.

NOV 21 2007

Technology Center 2100

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<u>For Appellant</u>

EXAMINER'S ANSWER

This is in response to the appeal brief filed 8/31/07 appealing from the Office action

mailed 1/19/07.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The appellant's statement of the related appeals and interferences contained in the brief is correct. The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

Appellant has identified the Udler reference under the wrong patent/publication number. The Udler reference has publication no. US 2005/0010877.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

6,243,088	MCCORMACK ET AL	06-2001
US 2005/0010877	ULDER	01-2005
6,341,359	AIKEN ET AL	01-2002
"HOW TO: View Previously- Opened Folders When You Log On to Windows XP"	MICROSOFT	10-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-5, 8, 12-16, and 18 are rejected under 35 U.S.C. 102(b) as being

anticipated by McCormack et al. (US Patent # 6,243,088).

As to independent claim 1, McCormack discloses a method of successively

displaying panels in a computer user interface, the method comprising:

- displaying a first panel (i.e. panel 208) of a plurality of panels (panels 206-226) in a computer user interface (i.e. application program see col. 6 line 7), each of the panels including different information (i.e. see col. 6 lines 61-67) and the computer user interface having a plurality of navigation controls (next button 250, previous button 252 and cancel button 254) by which a user can navigate to any one of the panels to access its information, wherein a first setting (i.e. task 230 then next button 250) of the navigation controls causes the first panel to be displayed (i.e. see col. 6 lines 55-60);
- receiving a user input (through input device 114 or cursor control 116) requesting access to information (i.e. see col. 6 lines 61-67) on a second panel (i.e. panel 210) in the computer user interface, there being at least two different settings of the navigation controls (next button 250 and previous button 252) that will cause the second panel to be displayed; and
- ceasing to display the first panel and displaying the second panel using one of the at least two different settings (i.e. from panel 208, clicking on next button 250) by which more of the navigation controls remain unchanged (i.e. still in task 230 see col. 6 lines 7-21) from the first setting.

As to independent claim 15, claim 15 differs from claim 1 only in that claim 15 is

an apparatus claim using a computer program product (storage device 110) containing

executable instructions that when executed cause a processor (processor 104) to

perform steps where as claim 1 is a method claim. Thus, claim 15 is analyzed as

previously discussed with respect to claim 1 above.

As to dependent claim 2, McCormack teaches the method of claim 1, wherein the

plurality of panels is arranged in a hierarchy (i.e. see Fig. 2) comprising nodes (main

screen 202 and panels 206-226), and wherein the panels are located at a bottom of the

hierarchy (panels 212 and 226), and wherein the navigation controls (i.e. tasks 230-234)

allow the user to navigate by taking different paths (i.e. see col. 6 lines 22-60) in the hierarchy of nodes.

As to dependent claim 3, McCormack teaches the method of claim 2, wherein the first setting of the navigation controls correspond to a first path (task 230 though panels 206-212) in the hierarchy of nodes and wherein the at least two settings (tasks 230-234) of the navigation controls for causing display of the second panel (panels 206 or 214) correspond to respective at least two paths (task 230 for panels 206-212 and task 232 for panels 214 to 212) in the hierarchy of paths, and wherein the one path taken to the second panel is one having a lowest common node (panel 212) with the first path taken to the first panel.

As to dependent claim 4, McCormack teaches the method of claim 2, wherein the first panel (panel 206) and the second panel (panel 214) are at a common level in the hierarchy.

As to dependent claim 5, McCormack teaches the method of claim 2, wherein the first panel (panel 206) and the second panel (panel 216) are at different levels in the hierarchy.

As to dependent claim 8, McCormack teaches the method of claim 1, wherein the user entered the information on the second panel (panel 214 by task 232) before the first panel (by task 230 panel 206) was displayed, and wherein displaying the second panel provides the user access to the entered information (i.e. see col. 6 lines 61-67).

As to dependent claim 12, McCormack teaches the method of claim 1, wherein the plurality of panels is arranged in a system of nodes that does not form a tree (i.e.

Fig. 2 shows nodes in a directed graph), and wherein the navigation controls allow the

user to navigate by taking different paths (i.e. tasks 230 - 234) in the hierarchy of nodes.

As to dependent claim 13, McCormack teaches the method of claim 12, wherein

the first setting (task 232) of the navigation controls correspond to a first path (to panel

210) in the hierarchy of nodes and wherein the at least two settings (i.e. through task

230 or task 232) of the navigation controls for causing display of the second panel

(panel 212) correspond to respective at least two paths in the hierarchy of nodes, and

wherein the one of the at least two paths to the second panel is used that has a

common node (panel 210) with the first path to the first panel that is nearest the first

panel (panel 206) (i.e. one path is though task 230 and another is through task 232.

They both lead to panel 212 with a common node, panel 210).

As to dependent claim 14, McCormack teaches method of claim 13, wherein

identifying (i.e. program knew that the user was on panel 218 when it is on panel 210

see col. 6 lines 29-38) the common node [, which] involves beginning with those of the

nodes that are nearest the second panel in the system of nodes, and determining (i.e.

see col. 6 lines 29-38) whether any of these nodes are common with any node in the

first path.

As to dependent claim 16, McCormack teaches the computer program product of

claim 15, wherein the plurality of panels is arranged in a hierarchy comprising nodes

(i.e. see Fig. 2), and wherein the panels (panels 212 and 226) are located at a bottom of

the hierarchy, and wherein the navigation controls (using next button 250 and previous

button 252) allow the user to navigate by taking different paths in the hierarchy of nodes

wherein the first setting (task 230 to panel 210) of the navigation controls correspond to

a first path in the hierarchy of nodes and wherein the at least two settings (task 230 and

task 232 to panel 210) of the navigation controls for causing display of the second panel

(task 232 to panel 212) correspond to respective at least two paths in the hierarchy of

paths, further comprising instructions that when executed cause the processor to:

display the second panel using the one (task 230 to panel 212) of the at least two paths

that has a lowest common node with the first path taken to the first panel.

As to dependent claim 18, McCormack teaches the computer program product of

claim 15, wherein the panels are arranged in a system of nodes that does not form a

tree (i.e. Fig. 2 shows nodes in a directed graph), and wherein the navigation controls

allow the user to navigate by taking different paths (i.e. tasks 230 - 234) in the hierarchy

of nodes, further comprising instructions that when executed cause the processor to:

begin with nodes (panel 212) nearest the second panel (through task 232 panel 212)

and determine (i.e. see col. 6 lines 29-38) whether any of these nodes are common with

any node in a path by which the first panel (though task 230 panel 210) was reached.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over

McCormack et al. (US Patent # 6,243,088) in view of Ulder (US Patent Application

Publication # 2005/0010877).

As to dependent claim 6, McCormack teaches the method of claim 2 (see claim 2

above), but does not teach wherein the navigation controls comprise tab sets each

comprising a plurality of tabs, and tab set selection tabs for selecting between the tab

sets, wherein a first tab is capable of triggering display of the first panel and at least a

second tab and a third tab are capable of triggering display of the second panel. Ulder

teaches wherein the navigation controls comprise tab sets each comprising a plurality of

tabs (plurality of tabs 218), and tab set selection tabs (application subdivision tabs 221)

for selecting between the tab sets, wherein a first tab is capable of triggering display of

the first panel and at least a second tab and a third tab are capable of triggering display

of the second panel (i.e. "Application subdivision tabs 221 are located at the top of

bottom frame 206 and provide a mechanism for tabbing between hierarchical trees

within an application area," see [0026]).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to have used the tabs of Ulder in place of the navigational

controls of McCormack to "allow structured or hierarchical data presentation" (i.e. see

[0021] and [0003] to provide data to be "dynamically constructed").

As to dependent claim 7, McCormack teaches the method of claim 6 (see claim 6

above), but does not teach wherein one of the second and third tabs that is part of a

common tab set with the first tab is used to display the second view. Ulder teaches

wherein one of the second and third tabs that is part of a common tab set (application

subdivision tabs 221) with the first tab is used to display the second view (i.e.

"Application subdivision tabs 221 are located at the top of bottom frame 206 and provide

a mechanism for tabbing between hierarchical trees within an application area," see

[0026]).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to have used the tabs of Ulder in place of the navigational

controls of McCormack to "allow structured or hierarchical data presentation" (i.e. see

[0021] and [0003] to provide data to be "dynamically constructed")

5.   Claims 9, 10, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable

over McCormack et al. (US Patent # 6,243,088) in view of Aiken et al. (US Patent #

6,341,359).

As to dependent claim 9, McCormack teaches the method of claim 8 (see claim 8

above), wherein the determination (i.e. see col. 6 lines 29-38) of which of the at least

two settings of the navigation controls to use for displaying the second panel (panel

210), but does not teach wherein an analysis of the information entered on the second

panel prompted dispatch of a message relating to the entered information, the message

containing a link to the second panel, wherein activating the link triggers the

determination. Aiken teaches wherein an analysis (by diagnostics see col. 9 lines 59 –

col. 10 line 12) of the information (in name field 314) entered on the second panel

prompted dispatch of a message (in diagnosis view 602) relating to the entered

information, the message containing a link (show button 610) to the second panel (i.e.

parameter dialogue box 306), wherein activating the link triggers the determination.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to have used the information analysis as taught by Aiken

in place of the method of McCormack to fill in "a need for a computer interface that

validates user-entered data and provides the user with timely, diagnostic information on

a field by field basis," (see col. 2 lines 26-29).

As to dependent claim 10, McCormack teaches the method of claim 9 (see claim

9 above), but does not teach wherein the message is one selected from the group

consisting of: an error message, a warning message, an informational message, a

confirmation message, and combinations thereof. Aiken teaches wherein the message

is one selected from the group consisting of: an error message, a warning message, an

informational message, a confirmation message, and combinations thereof (i.e. see Fig.

6, for constraint violations col. 9 line 59 – col. 10 line 12).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to have used the information analysis as taught by Aiken

in place of the determining of McCormack to fill in "a need for a computer interface that

validates user-entered data and provides the user with timely, diagnostic information on

a field by field basis," (see col. 2 lines 26-29).

As to dependent claim 17, McCormack teaches the computer program product of

claim 15 (see claim 15 above), further comprising instructions that when executed

cause the processor to: [execute a] determination (i.e. see col. 6 lines 29-38) of which of

the at least two settings of the navigation controls to use for displaying the second panel (panel 210), but does not teach that the instructions when executed cause the processor to: dispatch a message relating to information entered by the user on the second panel, the message containing a link to the second panel that when activated triggers a determination. Aiken teaches instructions that when executed cause the processor to: dispatch a message (in diagnosis view 602) relating to information (in name field 314) entered by the user on the second panel (i.e. parameter dialogue box 306), the message containing a link (show button 610) to the second panel that when activated triggers a determination.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the dispatching a message relating to information as taught by Aiken in place the instructions executed by a processor of McCormack to fill in "a need for a computer interface that validates user-entered data and provides the user with timely, diagnostic information on a field by field basis," (see col. 2 lines 26-29).

6.   Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over McCormack et al. (US Patent # 6,243,088) in view of Microsoft (Windows XP, Microsoft Support Article, ID #320168).

As to dependent claim 11, McCormack teaches the method of claim 8, but does not teach wherein an application program was closed after the information was entered, and wherein the application program that includes the first and second panels is opened

before receiving the request to display the second panel, wherein displaying the second panel allows the user access to the information that was entered before the application program was closed. Microsoft teaches wherein an application program (i.e. a Windows user session) that includes the first (i.e. Explorer window for folder 1) and second panels (i.e. Explorer window for folder 2) as closed (i.e. when logging off closing the user's session) when after the information (i.e. when creating a new file) was entered, and wherein the application program is opened before receiving the request to display the second panel, wherein displaying the second panel allows the user access to the information that was entered before the application program was closed (i.e. upon logging on, Windows remembers what Explorer window was opened before the session was closed, so it can "Restore previous folder windows at logon" see Article).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used recalling of previous panels displayed as taught by Microsoft in place of the displaying of panels as taught by McCormack to view panels that were previously opened.

(10) Response to Argument

(a) Claims 1-5, 8, 12-16, and 18 are not properly rejected under 35 U.S.C. §102 as being anticipated by McCormack

As to claims 1 and 15, Appellant argues that, "McCormack does not describe or suggest 'ceasing to display the first panel and displaying the second panel *using one of the at least two different settings by which more of the navigation controls remain*

unchanged from the first setting.'" The Examiner respectfully disagrees. McCormack

teaches that there are at least two different settings. As shown in _[figure 2]_, using a first

set of navigation controls for a first panel (panel 208), one can traverse from main

screen 202, through task 230 to panels 206 and 208, using the next button 250. For

displaying a second panel (panel 210), there are at least two different settings to reach

this panel. A first setting is using the next button 250 from panel 208 to reach 210. A

second setting is using the next button from panel 218 to reach 210. This is done by

using the cancel button 254 to go to the main screen 202 (see col. 6 lines 55-60). On

main screen 202, the navigation controls on the main screen are different from the ones

in the panels, since main screen includes menu 204 and tasks 230, 232, and 234.

Therefore, one can traverse again to panel 210 using task 230 or 232. McCormack

teaches that more of the navigation controls remain unchanged from the first setting (i.e.

see col. 6 lines 22-27). When accessing panel 210, the cancel button, for example,

would remain unchanged whether panel 210 is accessed from panel 208 using task 230

or accessed from panel 218 using task 232, allowing the user to cease displaying the

current panel and to return to displaying the main screen _[column 6, lines 55-60]_.

Appellant states that dependent claims 2-5, 8, 12-14, 16, and 18 recite all the

limitations of the independent claims, and thus, are allowable in view of the remarks set

forth regarding independent claims 1 and 15. However, as discussed above,

McCormack is considered to teach claims 1 and 15, and consequently, claims 2-5, 8,

12-14, 16, and 18 are rejected.

(b) Claims 6 and 7 are not properly rejected under 35 U.S.C. § 103 as being obvious over McCormack in view of Ulder

Appellant states that dependent claims 6 and 7 recite all the limitations of the independent claims, and thus, are allowable in view of the remarks set forth regarding independent claim 1. However, as discussed above, McCormack is considered to teach claim 1, and consequently, claims 6 and 7 are rejected.

(c) Claims 9, 10 and 17 are not properly rejected under 35 U.S.C. § 103 as being obvious over McCormack in view of Aiken

Appellant states that dependent claims 9, 10, and 17 recite all the limitations of the independent claims, and thus, are allowable in view of the remarks set forth regarding independent claims 1 and 15. However, as discussed above, McCormack is considered to teach claims 1 and 15, and consequently, claims 9, 10, and 17 are rejected.

(d) Claim 11 is not properly rejected under 35 U.S.C. § 103 as being obvious over McCormack in view of Microsoft

Appellant states that dependent claim 11 recites all the limitations of the independent claims, and thus, are allowable in view of the remarks set forth regarding independent claim 1. However, as discussed above, McCormack is considered to teach claim 1, and consequently, claim 11 is rejected.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.
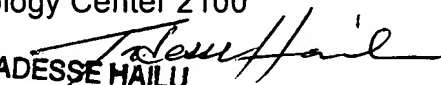

Respectfully submitted,

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November 19, 2007

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